

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (SN) ECF Case
---	--

This document relates to:

Federal Insurance Co., et al. v. Al Qaida, et al., Case No. 03-cv-06978
Thomas Burnett, Sr., et al. v. Al Baraka Inv. & Dev. Corp., et al., Case No. 03-cv-09849
Estate of John P. O'Neill, Sr., et al. v. Al Baraka, et al., Case No. 04-cv-01923
Continental Casualty Co., et al. v. Al Qaeda, et al., Case No. 04-cv-05970
Cantor Fitzgerald & Co., et al. v. Akida Bank Private Ltd., et al., Case No. 04-cv-07065
Euro Brokers, Inc., et al. v. Al Baraka, et al., Case No. 04-cv-07279

NOTICE OF PLAINTIFFS' MOTION TO COMPEL DEFENDANT DUBAI ISLAMIC BANK TO COMPLY WITH THE COURT'S MARCH 22, 2016 ORDER

PLEASE TAKE NOTICE that upon the Declaration of J. Scott Tarbutton, Esq. and the exhibits attached thereto, and the Memorandum of Law in Support of Plaintiffs' Motion to Compel Defendant Dubai Islamic Bank to Comply with the Court's March 22, 2016 Order, the plaintiffs by and through their undersigned counsel will move the Court before the Honorable Sarah Netburn, U.S. Magistrate Judge, at the United States District Court for the Southern District of New York, Thurgood Marshall Courthouse, 40 Foley Square, Room 430, Courtroom 219, at a date and time to be determined by the Court, for an Order pursuant to Federal Rule of Civil Procedure 37(a), directing Dubai Islamic Bank to comply with the Court's March 22, 2016 Order and immediately: (1) search its electronic legacy account database for relevant banking and financial records for the 31 individuals and entities at issue; (2) search its electronic legacy account database for relevant banking and financial records for the individuals, entities, and accounts previously agreed to by the parties; and (3) search for and produce relevant

documentation relating to the 1998 U.S. Embassy bombings in Dar es Salaam, Tanzania, and Nairobi, Kenya, as previously directed by this Court. Plaintiffs seek this relief for the reasons set forth in the Memorandum of Law in Support of Plaintiffs' Motion to Compel Defendant Dubai Islamic Bank to Comply with the Court's March 22, 2016 Order.

Dated: October 30, 2017

Respectfully Submitted,

/s/ Sean P. Carter

Sean P. Carter, Esq.

J. Scott Tarbutton, Esq.

COZEN O'CONNOR

1650 Market Street, Suite 2800

Philadelphia, PA 19103

Tel: (215) 665-2000

Jodi Westbrook-Flowers, Esq.

Robert T. Haefeke, Esq.

MOTLEY RICE, LLC

28 Bridgeside Boulevard

P.O. Box 1792

Mount Pleasant, SC 29465

Tel: (843) 216-9000

Jerry S. Goldman, Esq.

ANDERSON KILL P.C.

1251 Avenue of the Americas

New York, NY 10020

Tel: (212) 278-1000

Robert M. Kaplan, Esq.

FERBER CHAN ESSNER & COLLER, LLP

60 East 42nd Street, Suite 2050

New York, New York 10165

Tel: (212) 944-2200

Christopher T. Leonardo, Esq.

ADAMS HOLCOMB LLP

1001 Pennsylvania Ave., N.W.

Suite 740-South

Washington, D.C. 20004

Tel: (202) 580-8820

Attorneys for Plaintiffs